THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.15680 of 2007

Dated:24.07.2007

Between:

Lords Educational Society,
and another.

…Petitioners

and

Government of Andhra Pradesh, Rep.by its Principal Secretary,
Revenue Department, Secretariat, Hyderabad,
and others.

…Respondents

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WRIT PETITION No.15680 of 2007

ORDER:

The first petitioner – Society is running an Institute of Engineering and Technology (second petitioner herein). The first petitioner purchased an extent of Acs.10.00 of land in Survey No.32 situated at Himayathsagar Village of Rajendranagar Mandal in Ranga Reddy District, and constructed a College, which at present statedly has 1800 engineering students. Adjacent to the land of the petitioners, there is a Government land admeasuring Acs.6.00 in Survey No.36. The petitioners are allegedly using a part of the same for ingress and egress to their College. On 19.07.2007, the Officials surveyed the land with a view to provide house site pattas to weaker sections. The petitioners, therefore, made representations to the respondents requesting allotment/alienation of the land for their use. The same are pending. In the meanwhile, alleging that the respondents are trying to assign the land to weaker sections, the present Writ Petition is filed seeking a direction to the respondents to consider their applications for alienation.

Admittedly, the land in Survey No.36 is a Government land. Even if the petitioners are the owners of land in Survey No.32 abutting the land in Survey No.36, they cannot have any right to seek assignment or allotment. In case the petitioners seek alienation, it is now well settled that a public property has to be alienated only by conducting auction after following the procedure laid down.

Therefore, no direction can be issued to the respondents to alienate the land to the petitioners or consider their request. Insofar as the steps being taken by the respondents for assigning the land to weaker sections is concerned, even according to the petitioners, the same is being done in accordance with the Government Policy to provide house sites to poor people. The petitioners have no right to enforce in a Writ Petition, nor the respondents have a duty to consider their application for alienation.

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

24.07.2007
vs